

N.D.A.G. Letter to Lovell (March 14, 1986)

March 14, 1986

Mr. Orrin B. Lovell
Golden Valley County State's Attorney
Box 38
Beach, ND 58621

Dear Mr. Lovell:

Thank you for your letter of March 6, 1986, concerning the possibility of transferring property between Billings and Golden Valley Counties.

Your letter concerns N.D.C.C. §11-06-02 and its effect upon the proposed transfer of property between these counties.

N.D.C.C. §11-06-02 prohibits a transfer of property between counties where such a transfer reduces in one county the number of congressional townships to less than 24 or reduces the population of any county to less than 5,000 inhabitants. This section further provides that a petition calling for a transfer of property between counties which violates either of these two items shall be disregarded.

Your letter indicates that the contemplated transfer will not reduce the population to less than 5,000 inhabitants for either county involved in the transfer. However, your letter makes no mention as to whether the number of congressional townships would be reduced to less than 24.

Therefore, it would appear that N.D.C.C. §11-06-02 would not prohibit the contemplated transfer described in your letter so long as the number of congressional townships reduced in any one county does not fall below 24.

Sincerely,

Nicholas J. Spaeth

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